

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARK VALICH,

Plaintiff,

ORDER
1:21-CV-10123-GRJ

v.

KILOLO KIJAKAZI,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

GARY R. JONES, United States Magistrate Judge:

Pending before the Court is the parties' Stipulation for Allowance of Fees under the Equal Access to Justice Act and Costs Under 28 U.S.C. § 1920. (Docket No. 20.) The parties have stipulated that Plaintiff should be awarded seven thousand five hundred dollars (\$7,500.00) in attorney's fees under the Equal Access to Justice Act and costs in the amount of \$402.00

Upon due consideration, it is **ORDERED**:

1. Plaintiff is awarded attorney's fees under the EAJA in the amount of **\$7,500.00**. The payment of attorney's fees is subject to any offsetting debt owed by the Plaintiff to the United States. Before the Commissioner shall be obligated to pay the EAJA fees and costs, the Commissioner must determine whether Plaintiff owes a debt to the

government. In the event the United States Department of the Treasury determines that Plaintiff does not owe a federal debt, the Commissioner must then pay the fees directly to Plaintiff's counsel.

2. Plaintiff is awarded costs in the sum of \$402.00, which costs shall be payable from the judgment fund administered by the United States Department of Treasury.

Dated: April 4, 2023

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge